

Netlist's '608 Patent Upheld by Patent Trial and Appeal Board

December 11, 2024

-Files Motion for Preliminary and Permanent Injunction Against Samsung-

IRVINE, CA / ACCESSWIRE / December 11, 2024 / Netlist, Inc. (OTCQB:NLST) today announced that its U.S. Patent Nos. 10,268,608 was upheld by the Patent Trial and Appeal Board (PTAB) and found not to be invalid. This patent was part of a November 2024 jury verdict in the United States District Court for the Eastern District of Texas (EDTX) where Netlist won a \$118 million damages award against Samsung.



Netlist filed a motion with the EDTX for a preliminary and permanent injunction against Samsung regarding all infringing products related to the '608 patent, which includes Samsung DDR4 LRDIMMs. The court has scheduled a hearing on Netlist's injunction motion for December 23, 2024.

C.K. Hong, Netlist's Chief Executive Officer, said, "The '608 has gone through the IPR process to Final Written Decision and none of the challenged claims were found to be unpatentable. We are pleased that the PTAB has confirmed the validity of this patent after a jury recently found it to be valid and infringed by Samsung. With the November jury verdict and the validation by the PTAB we now have the opportunity for the court to consider Netlist's injunction request."

About Netlist

Netlist is a leading innovator in advanced memory and storage solutions, pushing the boundaries of technology to deliver unparalleled performance and reliability. With a rich portfolio of patented technologies, Netlist inventions are foundational to the advancement of AI which is revolutionizing computing and empowering businesses and industries to thrive in the digital age. To learn more about Netlist, please visit www.netlist.com.

Safe Harbor Statement

This news release contains forward-looking statements within the meaning of the Private Securities Litigation Reform Act of 1995. Forward-looking statements are statements other than historical facts and often address future events or Netlist's future performance. Forward-looking statements contained in this news release include statements about Netlist's ability to execute on its strategic initiatives. All forward-looking statements reflect management's present expectations regarding future events and are subject to known and unknown risks, uncertainties and other factors that could cause actual results to differ materially from those expressed in or implied by any forward-looking statements. These risks, uncertainties and other factors include, among others: risks that a

counterparty may appeal a jury verdict or judgment which could cause a lengthy delay in Netlist's ability to collect the damage award or overturn the verdict or judgment or reduce the damages award; potential delays in expected litigation and other milestones; risks related to Netlist's plans for its intellectual property, including its strategies for monetizing, licensing, expanding, and defending its patent portfolio; risks associated with patent infringement litigation initiated by Netlist, or by others against Netlist, as well as the costs and unpredictability of any such litigation; risks associated with Netlist's product sales, including the market and demand for products sold by Netlist and its ability to successfully develop and launch new products that are attractive to the market; the success of product, joint development and licensing partnerships; the competitive landscape of Netlist's industry; and general economic, political and market conditions, including quarantines, factory slowdowns and/or shutdowns, acts of terrorism, war and other conflicts. All forward-looking statements reflect management's present assumptions, expectations and beliefs regarding future events and are subject to known and unknown risks, uncertainties and other factors that could cause actual results to differ materially from those expressed in or implied by any forward-looking statements. These and other risks and uncertainties are described in Netlist's quarterly report on Form 10-Q for its most recently completed quarter ended September 28, 2024, filed on November 7, 2024, and the other filings it makes with the U.S. Securities and Exchange Commission from time to time, including any subsequently filed quarterly and current reports. In light of these risks, uncertainties and other factors, these forward-looking statements should not be relied on as predictions of future events. These forward-looking statements represent Netlist's assumptions, expectations and beliefs only as of the date they are made, and except as required by law, Netlist undertakes no obligation to revise or update any forward-looking statements for any reason.

For more information, please contact:

Investors/Media

The Plunkett Group

Mike Smargiassi

NLST@theplunkettgroup.com

(212) 739-6729

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